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**Fax**

Date: April 29, 2002

To: U.S. Patent & Trademark  
Office

Fax #: (703) 746-7239

Confirm#:

Client Matter#: 21653-005.01

From: Kevin A. Oliver

Sender's Number: 1241

User #: 8032

Total Pages Sent (Including Cover Sheet): 107

Office: Boston

**Message**

Re: U.S. Patent Application No. 09/465,436  
Systems and Methods for Backing Up Data Files  
Filed: December 16, 1999

Dear Sir or Madam:

Enclosed are the following:

1. Transmittal Form/Certificate of Transmission (1 page);
2. Fee Transmittal for FY 2002/Certificate of Facsimile Transmission (2 pages);
3. Response/Certificate of Transmission under 37 C.F.R. § 1.8(a) (15 pages);
4. Correction of Drawings to Draftsman/Certificate of Transmission under 37 C.F.R. § 1.8(a) (8 pages);
5. Submission of Substitute Specification/Certificate of Transmission under 37 C.F.R. § 1.8(a) (80 pages)

Sincerely,  
Kevin A. Oliver

20/501764.1

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PTO/SB/21 (08-00)

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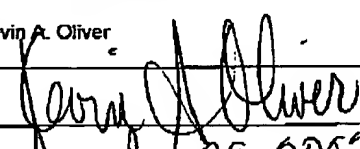
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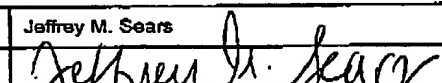
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/465,436	
	Filing Date	December 16, 1999	
	First Named Inventor	Midgley	
	Group Art Unit	2172	
	Examiner Name	Shahid Al Alam	
Total Number of Pages in This Submission	106	Attorney Docket Number	NTK-005.01

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Appointment of Power of Attorney and Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): X Substitute Specification
Remarks		Customer Number 25,181

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kevin A. Oliver
Signature	
Date	April 29, 2002

CERTIFICATE OF TRANSMISSION			
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Typed or printed name	Jeffrey M. Sears		
Signature		Date	April 29, 2002

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FEE TRANSMITTAL  
for FY 2002

Patent fees are subject to annual revision.

## Complete If Known

Application Number	09/485,436
Filing Date	December 16, 1999
First Named Inventor	Mldgley
Examiner Name	Shahid Al Alam
Group / Art Unit	2172
Attorney Docket No.	NTK-005.01

TOTAL AMOUNT OF PAYMENT (\$) 240

## METHOD OF PAYMENT (check one)

1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
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06-1448, Reference NTK-005.01

Deposit  
Account  
Name

Foley, Hoag &amp; Elliot LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
26	-20 **	6	72
Independent Claims	7	4	168
Multiple Dependent			240

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 240

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	820*	112	820*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,980	228	990	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	820	244	410	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (a)	
128	180	128	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 0

## SUBMITTED BY

Name (Print/Type)

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(617) 832-1241

Signature

Date

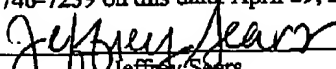
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Jeffrey Sears